

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO.: 2:14-CR-83-JTM-PRC
	)	
REGGIE SPENCER,	)	
Defendant.	)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE  
UPON PLEA OF GUILTY BY DEFENDANT REGGIE SPENCER**

TO: THE HONORABLE JAMES T. MOODY,  
UNITED STATES DISTRICT COURT

Upon Defendant Reggie Spencer's request to enter a plea of guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter came for hearing before Magistrate Judge Paul R. Cherry, on April 1, 2015, with the consent of Defendant Reggie Spencer, counsel for Defendant Reggie Spencer, and counsel for the United States of America.

The hearing on Defendant Reggie Spencer's plea of guilty was in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge in open court and on the record.

In consideration of that hearing and the statements made by Defendant Reggie Spencer under oath on the record and in the presence of counsel, the remarks of the Assistant United States Attorney and of counsel for Defendant Reggie Spencer,

I FIND as follows:

(1) that Defendant Reggie Spencer understands the nature of the charge against him to which the plea is offered;

(2) that Defendant Reggie Spencer understands his right to trial by jury, to persist in his plea of not guilty, to the assistance of counsel at trial, to confront and cross-examine adverse witnesses, and

his right against compelled self-incrimination;

(3) that Defendant Reggie Spencer understands what the maximum possible sentence is, including the effect of the supervised release term, and Defendant Reggie Spencer understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(4) that the plea of guilty by Defendant Reggie Spencer has been knowingly and voluntarily made and is not the result of force or threats or of promises;

(5) that Defendant Reggie Spencer is competent to plead guilty;

(6) that Defendant Reggie Spencer understands that his answers may later be used against him in a prosecution for perjury or false statement;

(7) that there is a factual basis for Defendant Reggie Spencer's plea; and further,

I RECOMMEND that the Court accept Reggie Spencer's plea of guilty to the offense charged in Count II of the Indictment and that Defendant Reggie Spencer be adjudged guilty of the offense charged in Count II of the Indictment and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and Reggie Spencer be adjudged guilty, a sentencing date before Judge James T. Moody will be set by separate order. Objections to the Findings and Recommendation are waived unless filed and served within fourteen days. 28 U.S.C. § 636(b)(1).

SO ORDERED this 1st day of April, 2015.

s/ Paul R. Cherry  
MAGISTRATE JUDGE PAUL R. CHERRY  
UNITED STATES DISTRICT COURT

cc: All counsel of record  
Honorable James T. Moody